

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In Re: WILLIAM S WARD : Case No: 15-55508
ANGELA M WARD :
 : CHAPTER 13
 : Judge C KATHRYN PRESTON

OBJECTION TO PROOF OF CLAIM

Now comes Frank M. Pees, Chapter 13 Trustee, and objects to Claim #11 of Dutro Used Cars, Inc., C/O Phoenix Financial Solutions, Inc., Po Box 232, Shelby, OH 44875. Said claim was filed on January 14, 2016 in the amount of \$2,159.97.

MEMORANDUM

This claim was filed as a general unsecured claim. Pursuant to Federal Bankruptcy Rule 3002(c), a Proof of Claim is timely filed if it is filed not later than ninety (90) days after the first date set for the meeting of creditors. The first date set for the meeting of creditors was October 15, 2015. The creditor filed their claim on January 14, 2016, thereby exceeding ninety (90) days.

The Trustee requests that this claim be disallowed due to the untimely filing for the purpose of distribution.

Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees

Chapter 13 Trustee

130 E Wilson Bridge Rd #200

Worthington, OH 43085

(614) 436-6700

trustee@ch13.org

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NOTICE OF OBJECTION TO CLAIM

The Chapter 13 Trustee has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to reduce, modify or eliminate your claim, **then on or before thirty (30) days from the date set forth in the certificate of service for the objection to claim**, you must file with the court a response explaining your position by mailing your response by regular U.S. Mail

CLERK, US BANKRUPTCY COURT
170 N HIGH ST
COLUMBUS, OH 43215-2403

OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the above date.

You must also mail a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:

FRANK M PEES TRUSTEE
130 E WILSON BRIDGE RD #200
WORTHINGTON, OH 43085-6300

UNITED STATES TRUSTEE
170 N HIGH ST STE 200
COLUMBUS, OH 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to claim and may enter an order reducing, modifying, or eliminating your claim without further notice or hearing.

Date: January 22, 2016

/s/ Frank M. Pees
Frank M. Pees
Chapter 13 Trustee

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NOTICE AND CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2016, a copy of the foregoing Objection to Claim was served on the following registered ECF participants, **electronically** through the court's ECF System at the email address registered with the court:

Notice will be electronically mailed to:

Asst US Trustee (Col)
Frank M. Pees
Mitchell Marczewski

and on the following by ordinary U.S. Mail addressed to:

William S Ward
Angela M Ward
2340 Old River Rd
Zanesville, OH 43701

Dutro Used Cars, Inc.
C/O Phoenix Financial Solutions, Inc.
Po Box 232
Shelby, OH 44875

/s/ Frank M. Pees
Frank M. Pees
Chapter 13 Trustee